

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

KIARA SMITH
ADC #107225

PLAINTIFF

V.

3:07CV00050 BSM/JTR

LEROY MEADOWS, Sheriff,
Mississippi County, et al.

DEFENDANTS

ORDER

Plaintiff, who is currently incarcerated at the Maximum Security Unit of the Arkansas Department of Correction, has commenced this *pro se* § 1983 action alleging that Defendants violated his constitutional rights and committed the pendent state tort of outrage while he was a pretrial detainee at the Mississippi County Detention Center. *See* docket entries #80 and #83 (clarifying the *specific claims* that remain in this action).

Plaintiff has requested a jury trial, and the parties have not consented to proceed before a United States Magistrate Judge. *See* docket entry #2. Additionally, Defendants' Motion for Summary Judgment was granted in part and denied in part. *See* docket entries #80 and #83. Accordingly, the Court will notify the Honorable Brian S. Miller, United States District Judge, that this case is ready to be set on his docket for a jury trial.

Given the seriousness of Plaintiff's claims and his inability to prosecute his claims before a jury without the assistance of counsel, the Court concludes that appointment of counsel in this case is warranted at this time. *See Johnson v. Williams*, 788 F.2d 1319, 1322 (8th Cir. 1986) (explaining that a court may, in its discretion, appoint counsel for a *pro se* prisoner if it is convinced that he has stated a non-frivolous claim and that "the nature of the litigation is such that plaintiff as well as the court will benefit from the assistance of counsel"). Accordingly, the Court will appoint

Mr. Donald S. Ryan, who has been randomly selected from a list of attorneys licensed to practice before this Court. **Additionally, the Court will no longer accept for filing any *pro se* pleadings submitted by Plaintiff – instead, all future pleadings must be filed and signed by Plaintiff's appointed counsel.** See Local Rule 5.5(c)(2) (providing that: "Every pleading filed in behalf of a party represented by counsel shall be signed by at least one attorney of record").

IT IS THEREFORE ORDERED THAT:

1. Mr. Donald S. Ryan of the Dodds, Kidd & Ryan law firm, 313 West Second Street, Little Rock, AR 72201-2481, is APPOINTED to represent Plaintiff in this § 1983 action.
2. The Clerk is directed to send Mr. Ryan a copy of this Order and Local Rule 83.7. If Mr. Ryan is unable to obtain the remainder of the file from CM/ECF, he should contact Judge Ray's Chambers at 501-604-5230, and a copy of the file, or any portion thereof, will be provided to /him free of charge.
3. The Clerk is directed to refrain from docketing any future *pro se* pleadings submitted by Plaintiff.

Dated this 16th day of June, 2008.


UNITED STATES MAGISTRATE JUDGE